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TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

Applicant : Hojo et al.
App. No. : 10/554,380
Filed : October 26, 2005
For : POSITIVE PHOTORESIST
COMPOSITION AND METHOD FOR
FORMING RESIST PATTERN
Examiner : Eoff, A.
Art Unit : 1753

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Disclaimer by Assignee

Assignee, Tokyo Ohka Kogyo Co., Ltd. ("Assignee"), hereby disclaims, except as provided below, the terminal part of any patent granted on the above-referenced application which would extend beyond the earliest expiration date of the full statutory term of any patent issuing from U.S. Patent Application Nos. 10/572,709, 10/540,056, and 10/865,040, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the above-identified application and U.S. Patent Application Nos. 10/572,709, 10/540,056, and 10/865,040 are co-owned. This agreement extends to any patent granted on the above-referenced application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-referenced application prior to the earliest expiration date of the full statutory term of any patent issuing from U.S. Patent Application Nos. 10/572,709, 10/540,056, and 10/865,040, and that of any patent issuing on the above-identified application in the event that either one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination

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certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

Right of Assignee and Ownership

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a 100 percent interest in both the above-identified application and co-owned U.S. Patent Application Nos. 10/572,709, 10/540,056, and 10/865,040. The assignment from the inventors to the assignee of the present application is recorded at Reel No. 018309, Frame No. 0954. The assignment of Application No. 10/572,709 was recorded at Reel No. 017728, Frame No. 0673 on March 17, 2006 by the Assignment Branch of the Patent and Trademark Office. The assignment of Application No. 10/540,056 was recorded at Reel No. 018124, Frame No. 0765 on June 22, 2005 by the Assignment Branch of the Patent and Trademark Office. The assignment of Application No. 10/865,040 was recorded at Reel No. 015433, Frame No. 0175 on December 7, 2004 by the Assignment Branch of the Patent and Trademark Office. Each of these assignments represents the complete chain of title from the inventors to the assignee. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

Empowerment of Attorney

Pursuant to 37 C.F.R. 1.321(a) the undersigned attorney of record is empowered to act on behalf of the Assignee, by virtue of a Power of Attorney.

This Terminal Disclaimer is accompanied by the \$130 fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP

Date: 12/10/07


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